

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BARBARA HOFFMANN, et al.

v.

MARION COUNTY, TX, et al.

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Case No. 2:12-cv-0014-JRG-RSP

ORDER

Before the Court is the Report and Recommendation filed by the Magistrate Judge on November 15, 2012 (Dkt. No. 157) recommending that the United States' Motion to Substitute as Defendant (Dkt. No. 107) be granted. Having considered the Objections filed by Plaintiffs (Dkt. No. 167) and finding them to be without sufficient merit, the Report and Recommendation is hereby adopted. Accordingly, IT IS ORDERED THAT:

- (1) the United States' Motion to Substitute (Dkt. No. 107) is **GRANTED**;
- (2) that the claims against Dr. Dan Jones and Dr. Lynn Bourgeois are **DISMISSED WITHOUT PREJUDICE** for want of subject matter jurisdiction; and
- (3) that the United States is hereby substituted as a defendant for Dr. Jones and Dr. Bourgeois.

So ORDERED and SIGNED this 29th day of November, 2012.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE